

142, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 13, 2009: Yeas 31, Nays 0.

Approved May 27, 2009.

Effective May 27, 2009.

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## CHAPTER 166

### H.B. No. 472

#### AN ACT

relating to the effect and implementation of the law regarding reporting by a common carrier or pipeline owner or operator of contamination.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 81.056(e), Natural Resources Code, as added by Chapter 339 (S.B. 1130), Acts of the 79th Legislature, Regular Session, 2005, is reenacted to read as follows:

(e) A common carrier or pipeline owner or operator that makes a contamination report under this section is released from all liability for the contamination or the cleanup of the contamination covered by the report, except for any contamination caused by the common carrier or pipeline owner or operator.

SECTION 2. Section 81.056(g), Natural Resources Code, is amended to read as follows:

(g) The commission may ~~not~~ use money in the oil-field cleanup fund to implement this section. *The amount of money in the fund the commission may use for that purpose may not exceed the amount of money in the fund that is derived from fees collected under Section 91.142 from common carriers or owners or operators of pipelines as determined annually by the commission.*

SECTION 3. Section 91.112(a), Natural Resources Code, is amended to read as follows:

(a) Money in the fund may be used by the commission or its employees or agents for:

(1) conducting a site investigation or environmental assessment to determine:

(A) the nature and extent of contamination caused by oil and gas wastes or other substances or materials regulated by the commission under Section 91.101; and

(B) the measures that should be taken to control or clean up the wastes, substances, or materials described in Paragraph (A);

(2) controlling or cleaning up oil and gas wastes or other substances or materials regulated by the commission under Section 91.101 that are causing or are likely to cause the pollution of surface or subsurface water, consistent with Section 91.113;

(3) plugging abandoned wells and administering or enforcing permits, orders, and rules relating to the commission's authority to prevent pollution under this chapter, Chapter 89, or any other law administered or enforced by the commission under Title 3;

(4) implementing Subchapter N and enforcing rules, orders, and permits adopted or issued under that subchapter;

(5) implementing the voluntary cleanup program under Subchapter O;

(6) preparing the report required under Subsection (b);

(7) making payments to eligible operators under Section 89.047; ~~and~~

(8) making payments to eligible surface estate owners under Section 89.048; *and*

(9) *implementing Section 81.056, subject to the limitation provided by Subsection (g) of that section.*

SECTION 4. The changes in law made by this Act apply only to contamination that a common carrier or an owner or operator of a pipeline observes or detects on or after the effective date of this Act. Contamination that a common carrier or an owner or operator of a pipeline observes or detects before the effective date of this Act is governed by the law as it

existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 5. Section 81.056(e), Natural Resources Code, as reenacted by this Act, is an exercise of authority under Section 66(c), Article III, Texas Constitution, and takes effect only if this Act receives a vote of three-fifths of all the members elected to each house, as provided by Subsection (e) of that section.

SECTION 6. This Act takes effect September 1, 2009.

Passed by the House on May 6, 2009: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate on May 15, 2009: Yeas 30, Nays 0.

Approved May 27, 2009.

Effective September 1, 2009.

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## CHAPTER 167

H.B. No. 567

### AN ACT

relating to the eligibility of candidates for certain offices to serve as election judges.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 32.053, Election Code, is amended to read as follows:

Sec. 32.053. INELIGIBILITY OF CANDIDATE FOR [PUBLIC] OFFICE. (a) A person *who is a candidate in an election for a contested public or party office* is ineligible to serve, *in an election to be held on the same day as that election*, as an election judge or clerk *in any precinct in which the office sought is to be voted on* [~~in an election if the person is a candidate for a public office in an election to be held on the same day~~].

(b) *This section does not apply to:*

(1) *a county clerk; or*

(2) *a precinct chair declared elected under Section 171.0221.*

(c) [(b)] In this section, "candidate" means a person who has taken affirmative action, as described by the law regulating political funds and campaigns, for the purpose of gaining nomination or election.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 15, 2009: Yeas 29, Nays 1.

Approved May 27, 2009.

Effective September 1, 2009.

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## CHAPTER 168

H.B. No. 590

### AN ACT

relating to the name of the Crime Stoppers Advisory Council.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. The heading to Chapter 414, Government Code, is amended to read as follows: